

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 07-4424

Cardone v. Carroll
(D. Del. No. 06-cv-00646)

ORDER

The December 28, 2007 assessment order is hereby vacated. The Clerk is directed to send a copy of this order to the Warden and to the Clerk of the United States District Court for the District of Delaware. Petitioner's motion for leave to proceed in forma pauperis will be submitted to the same motions panel that will consider Appellant's motion demonstrating imminent danger.

For the Court,

/s/ Marcia M. Waldron
Clerk

Dated: January 2, 2008
clc\cc: Mr. Charles F. Cardone

Atty Gen DE



Marcia M. Waldron

Marcia M. Waldron, Clerk